

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Cary Ratner

v.

Civil No. 08-cv-418-PB

Martel Electronics Corporation

**DISCOVERY PLAN**  
**Fed. R. Civ. P. 26(f)**

**DATE OF CONFERENCE:** December 16, 2008

**COUNSEL PRESENT/REPRESENTING:** Cary Ratner, pro se  
Brett A. Schatz, Esq.  
Paul D. Creme, Esq.

**CASE SUMMARY**

**THEORY OF LIABILITY:** See Discovery Plan

**THEORY OF DEFENSE:** See Discovery Plan

**TYPE OF TRIAL:** Jury

**DISCOVERY**

**TRACK ASSIGNMENT:** Modified

**DISCOVERY NEEDED:** See Discovery Plan

**MANDATORY DISCLOSURES (Fed. R. Civ. P. 26(a)(1))** 01/16/09

**ELECTRONIC INFORMATION DISCLOSURES (Fed. R. Civ. P. 26(f)):**  
Defendant is to supply names of electronic discovery companies to

enable electronic discovery.

**STIPULATION REGARDING CLAIMS OF PRIVILEGE/PROTECTION OF TRIAL PREPARATION MATERIALS (Fed. R. Civ. P. 26(f)):** Parties are to draft and file a protective order.

**COMPLETION OF DISCOVERY:** 7/10/09

**INTERROGATORIES:** 35 per side

**REQUESTS FOR ADMISSION:** 40 per side

**DEPOSITIONS:** 100 requests for production; 10 fact, 3 expert per side. Any more must be requested by supported motion.

**DATES OF DISCLOSURE OF EXPERTS AND EXPERTS' WRITTEN REPORTS AND SUPPLEMENTATIONS:**

Plaintiff: 08/21/09 Defendant: 08/21/09  
Supplementations under Rule 26(e) due /or rebuttal - 9/18/09

**CHALLENGES TO EXPERT TESTIMONY:** Daubert challenges - 10/30/09

**OTHER ITEMS**

**JOINDER OF ADDITIONAL PARTIES:** 03/13/09

**THIRD-PARTY ACTIONS:** 03/13/09

**AMENDMENT OF PLEADINGS:** 03/13/09

**DISPOSITIVE MOTIONS:** 10/30/09

**SETTLEMENT POSSIBILITIES:** Parties to consider David Plant, Esq.

**JOINT STATEMENT RE MEDIATION:** by 03/30/09

**WITNESSES AND EXHIBITS:** Preliminary list by 06/19/09

**TRIAL ESTIMATE:** 5 days

**TRIAL DATE:** 02/08/10

**OTHER MATTERS:** Claim Construction Briefs by 04/17/09

**SO ORDERED.**

  
James R. Muirhead  
United States Magistrate Judge

Date: December 18, 2008

cc: Cary Ratner, pro se  
Brett A. Schatz, Esq.  
Paul D. Creme, Esq.